

**AMENDMENT TO H.R. 2557, AS REPORTED
OFFERED BY MR. YOUNG OF ALASKA**

Page 8, line 7, before “Except” insert “(a) PROJECTS WITH CHIEF’S REPORTS.—”.

Page 8, before line 13, insert the following (and re-designate subsequent paragraphs accordingly):

1 (1) TANQUE VERDE CREEK, ARIZONA.—The
2 project for environmental restoration, Tanque Verde
3 Creek, Arizona: Report of the Chief of Engineers,
4 dated July 22, 2003, at a total cost of \$4,878,000,
5 with an estimated Federal cost of \$3,170,700 and
6 an estimated non-Federal cost of \$1,707,300.

Page 8, line 14, before “The” insert the following:

7 (A) IN GENERAL.—

Page 9, after line 2, insert the following:

8 (B) EXPEDITING BRIDGE DESIGN AND
9 CONSTRUCTION.—The Secretary, in cooperation
10 with appropriate non-Federal interests, shall
11 immediately commence appropriate studies for,
12 and the design of, a permanent bridge (includ-
13 ing an evaluation of potential impacts of bridge
14 construction on traffic patterns and identifica-

1 tion of alternatives for mitigating such impacts)
2 and, upon execution of a cost-sharing agree-
3 ment with such non-Federal interests, shall pro-
4 ceed to construction of the bridge as soon as
5 practicable; except that such studies, design,
6 and construction shall not adversely affect the
7 schedule of design or construction of authorized
8 projects for flood damage reduction.

Page 9, after line 16, insert the following (and re-
designate subsequent paragraphs accordingly):

9 (4) PEORIA RIVERFRONT, ILLINOIS.—The
10 project for environmental restoration, Peoria River-
11 front, Illinois: Report of the Chief of Engineers,
12 dated July 28, 2003, at a total cost of \$15,182,000,
13 with an estimated Federal cost of \$9,868,000 and
14 an estimated non-Federal cost of \$5,314,000.

Page 9, line 21, strike “Report” and insert “Re-
ports”.

Page 9, line 22, before “at” insert “and July 22,
2003,”.

Page 10, after line 12, insert the following (and re-
designate subsequent paragraphs accordingly):

1 (6) SOUTH RIVER, NEW JERSEY.—The project
2 for hurricane and storm damage reduction and envi-
3 ronmental restoration, South River, New Jersey: Re-
4 port of the Chief of Engineers, dated July 22, 2003,
5 at a total cost of \$103,268,000, with an estimated
6 Federal cost of \$67,124,000 and an estimated non-
7 Federal cost of \$36,144,000.

Page 11, after line 25, insert the following:

8 (b) PROJECTS SUBJECT TO FINAL REPORT.—The
9 following projects for water resources development and
10 conservation and other purposes are authorized to be car-
11 ried out by the Secretary substantially in accordance with
12 the plans, and subject to the conditions, recommended in
13 a final report of the Chief of Engineers if a favorable re-
14 port of the Chief is completed not later than December
15 31, 2003:

16 (1) BEL MARIN KEYS UNIT V, CALIFORNIA.—
17 The project for environmental restoration, Bel Marin
18 Keys Unit V, California, at a total cost of
19 \$133,600,000, with an estimated Federal cost of
20 \$100,200,000 and an estimated non-Federal cost of
21 \$33,400,000.

22 (2) IMPERIAL BEACH, CALIFORNIA.—The
23 project for storm damage reduction, Imperial Beach,
24 California, at a total cost of \$11,922,000, with an

1 estimated Federal cost of \$7,630,000 and an esti-
2 mated non-Federal cost of \$4,292,000.

3 (3) GWYNNS FALLS, MARYLAND.—The project
4 for environmental restoration, Gwynns Falls, Mary-
5 land, at a total cost of \$14,660,000.

6 (4) MANASQUAN TO BARNEGAT INLETS, NEW
7 JERSEY.—The project for hurricane and storm dam-
8 age reduction, Manasquan to Barnegat Inlets, New
9 Jersey, at a total cost of \$60,649,000, with an esti-
10 mated Federal cost of \$39,422,000 and an esti-
11 mated non-Federal cost of \$21,227,000.

12 (5) CENTRALIA, CHEHALIAS RIVER, WASH-
13 INGTON.—The project for flood damage reduction,
14 Centralia, Chehalias River, Washington, at a total
15 cost of \$86,872,000, with an estimated Federal cost
16 of \$56,467,000 and an estimated non-Federal cost
17 of \$30,405,000.

Page 15, after line 10, insert the following (and re-
designate subsequent paragraphs accordingly):

18 (3) RED LAKE FALLS, MINNESOTA.—Project for
19 emergency streambank protection, Red Lake River,
20 Red Lake Falls, Minnesota.

Page 16, after line 5, insert the following (and re-
designate subsequent paragraphs accordingly):

1 (2) PALM BEACH HARBOR, FLORIDA.—Project
2 for navigation, Palm Beach Harbor, Florida.

Page 16, after line 7, insert the following (and re-designate subsequent paragraphs accordingly):

3 (3) MISSISSIPPI RIVER SHIP CHANNEL, LOU-
4 ISIANA.—Project for navigation, Mississippi River
5 Ship Channel, Louisiana.

6 (4) AU SABLE RIVER, MICHIGAN.—Project for
7 navigation, Au Sable River in the vicinity of Oscoda,
8 Michigan.

Page 23, strike lines 10 and 11.

Page 23, line 12, strike “(C)” and insert “(B)”.

Page 23, line 12, strike “Secretary of the Army”.

Page 23, line 14, strike “district engineer” and all that follows through “out” on line 15.

Page 23, line 19, strike “(D)” and insert “(C)”.

Page 23, line 21, strike “liquidated”.

Page 24, lines 3 and 5, strike “partnership”.

Page 24, line 3, after “agreement” insert “under this section”.

Page 24, line 15, strike “liquidated”.

Page 25, strike line 7, and insert the following:

1 (d) PARTNERSHIP AND COOPERATIVE ARRANGE-
2 MENTS.—

3 (1) IN GENERAL.—Agreements entered into
4 under section 221 of the Flood Control Act of 1970
5 (42 U.S.C. 1962d–5(b)) shall further partnership
6 and cooperative arrangements with non-Federal in-
7 terests and shall be referred to as “partnership
8 agreements”.

Page 25, line 8, strike “(1) To” and insert “(2)
REFERENCES TO”.

Page 25, line 14, strike “(2) To” and insert “(3)
REFERENCES TO”.

Page 25, after line 18, insert the following:

9 (e) ENTRY OF AGREEMENT WITH DISTRICT ENGI-
10 NEER.—After January 1, 2005, the agreement required
11 to be entered into under section 221(a) of the Flood Con-
12 trol Act of 1970 (42 U.S.C. 1962d–5b(a)) shall be entered
13 into with the district engineer for the district in which the
14 project will be carried out, unless, before that date, the
15 Secretary issues policies and guidelines for partnership
16 agreements and delegates to the district engineers, at a
17 minimum—

1 (1) the authority to approve any policy in a
2 partnership agreement that has appeared in an
3 agreement previously approved by the Secretary;

4 (2) the authority to approve any policy in a
5 partnership agreement the specific terms of which
6 are dictated by law, or by a final feasibility study,
7 final environmental impact statement, or other final
8 decision document for a water resources development
9 project;

10 (3) the authority to approve any partnership
11 agreement that complies with the policies and guide-
12 lines issued by the Secretary; and

13 (4) the authority to sign any partnership agree-
14 ment for any water resources development project
15 unless, within 30 days of the date of authorization
16 of the project, the Secretary notifies the district en-
17 gineer in which the project will be carried out that
18 the Secretary wishes to retain the prerogative to
19 sign the partnership agreement for that project.

20 (f) PUBLIC AVAILABILITY.—Not later than the 120th
21 day following the date of enactment of this Act, the Chief
22 of Engineers shall ensure that each district engineer has
23 made available on the Internet all partnership agreements
24 entered into under section 221 of the Flood Control Act
25 of 1970 (42 U.S.C. 1962d–5(b)) within the preceding 10

1 years and all partnership agreements for water resources
2 development projects currently being carried out in that
3 district and shall make any partnership agreements en-
4 tered into after such date of enactment available on the
5 Internet within 7 days of the date on which such agree-
6 ment is entered into.

Page 36, line 19, strike “conveyed to” and all that follows through the closing parenthesis mark on line 21 and insert “owned by an Alaska Native Regional Corporation or an Alaska Native Village Corporation (as those terms are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)) or the Metlakatla Indian community.”

Page 74, after line 11, insert the following (and conform the table of contents of the bill accordingly):

7 **SEC. 2034. SUPPORT OF ARMY CIVIL WORKS PROGRAM.**

8 (a) IN GENERAL.—Notwithstanding section 2361 of
9 title 10, United States Code, the Secretary is authorized
10 to provide assistance through contracts, cooperative agree-
11 ments, and grants to—

12 (1) the University of Tennessee, Knoxville, Ten-
13 nessee, for establishment and operation of the
14 Southeastern Water Resources Institute to study

1 sustainable development and utilization of water re-
2 sources in the Southeastern United States; and

3 (2) Lewis and Clark Community College, Illi-
4 nois, for the Great Rivers National Research and
5 Education Center (including facilities that have been
6 or will be constructed at one or more locations in the
7 vicinity of the confluence of the Illinois River, the
8 Missouri River, and the Mississippi River), a collabo-
9 rative effort of Lewis and Clark Community College,
10 the University of Illinois, the Illinois Department of
11 Natural Resources and Environmental Sciences, and
12 other entities, for the study of river ecology, devel-
13 oping watershed and river management strategies,
14 and educating students and the public on river
15 issues.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to the Secretary to carry
18 out subsection (a)(1) \$5,000,000 and to carry out sub-
19 section (a)(2) \$5,000,000. Such sums shall remain avail-
20 able until expended.

Page 76, line 4, strike “**TATILEK**” and insert
“**TATITLEK**”. Conform the table of contents of the bill
accordingly.

Page 76, line 6, strike “Tatilek” and insert
“Tatitlek”.

Pages 79 and 80, move section 3012 (relating to Los Angeles Harbor, Los Angeles, California) after section 3013 (relating to Larkspur Ferry Channel, Larkspur, California). Redesignate subsequent sections, and conform the table of contents of the bill, accordingly.

Page 87, after line 15, insert the following (and redesignate subsequent sections, and conform the table of contents of the bill, accordingly):

1 SEC. 3028. JACKSONVILLE HARBOR, FLORIDA.

2 The project for navigation, Jacksonville Harbor,
3 Florida, authorized by section 101(a)(17) of the Water
4 Resources Development Act of 1999 (113 Stat. 276), is
5 modified to authorize the Secretary to extend the naviga-
6 tion features in accordance with the Report of the Chief
7 of Engineers, dated July 22, 2003, at a total cost of
8 \$14,658,000, with an estimated Federal cost of
9 \$9,636,000 and an estimated non-Federal cost of
10 \$5,022,000.

Page 87, line 24, after “project” insert “in accordance with the feasibility report of October 2002”.

Page 87, line 24, strike “\$12,926,000” and insert “\$12,632,200”.

Page 87, line 25, strike “\$6,547,000” and insert “\$7,882,493”.

Page 88, line 1, strike “\$6,379,000” and insert “\$4,749,707”.

Page 88, line 2, strike “\$925,000” and insert “\$1,044,400”.

Page 88, line 4, strike “\$468,500” and insert “\$651,706”.

Page 88, line 5, strike “\$456,500” and insert “\$392,694”.

Pages 89 and 90, move section 3032 (relating to Miami Harbor, Florida) after section 3029 (relating to Manatee Harbor, Florida). Redesignate subsequent sections, and conform the table of contents of the bill, accordingly.

Page 89, after line 25, insert the following (and redesignate subsequent sections, and conform the table of contents of the bill, accordingly):

1 SEC. 3032. TAMPA HARBOR-CUT B, FLORIDA.

2 The project for navigation, Tampa Harbor, Florida,
3 authorized by section 101 of the River and Harbor Act
4 of 1970 (84 Stat. 1818), is modified to authorize the Sec-
5 retary to construct passing lanes in an area approximately
6 3.5 miles long and centered on Tampa Bay Cut B if the

1 Secretary determines that such improvements are nec-
2 essary for navigation safety.

Page 90, line 8, before “Federal” insert “a”.

Page 90, line 8, strike “and” and insert “or”.

Page 90, line 9, strike “agencies” and insert “agen-
cy”.

Page 91, after line 5, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

3 **SEC. 3034. CHICAGO SANITARY AND SHIP CANAL, ILLINOIS.**

4 (a) ONGOING PROJECT.—The project for improve-
5 ment of the quality of the environment, Chicago Sanitary
6 and Ship Canal, Illinois, being carried out under section
7 1135 of the Water Resources Development Act of 1986
8 (33 U.S.C. 2309a) to provide for a dispersal barrier for
9 invasive species, is modified to allow that Federal assist-
10 ance made available through other Federal agencies may
11 be used toward payment of the non-Federal share of the
12 costs of the project.

13 (b) NEW WORK.—The Secretary shall conduct a
14 study of a project for the improvement of the quality of
15 the environment, Chicago Sanitary and Ship Canal, Illi-
16 nois, and if the Secretary determines that the project is
17 appropriate, shall carry out a project under section 1135

1 of the Water Resources Development Act of 1986 (33
2 U.S.C. 2309a), including upgrades or improvements to the
3 existing barrier for aquatic invasive species. Federal as-
4 sistance made available by other Federal agencies may be
5 used toward payment of the non-Federal share of the cost
6 of the project.

Page 100, line 23, before the period insert the fol-
lowing:

7 and to authorize the Secretary to carry out the project
8 in accordance with the report prepared by the non-Federal
9 interest if the Secretary determines that the report meets
10 the evaluation and design standards of the Corps of Engi-
11 neers and that the project is feasible

Page 109, line 4, after “would” insert “not”.

Page 109, line 5, strike “the same” and insert “a
lesser”.

Page 109, line 17, strike “\$18,000,000” and insert
“\$18,200,000”.

Page 118, after line 20, insert the following:

12 (1) to include as part of the project flood pro-
13 tection works to reroute drainage to Raymondville
14 Drain constructed by the non-Federal interests in
15 Hidalgo County in the vicinity Edinburg, Texas, if

1 the Secretary determines that such work meets fea-
2 sibility requirements;

Page 118, line 21, strike “(1)” and insert “(2)”.

Page 119, line 3, strike “(2)” and insert “(3)”.

Page 119, line 5, after “determination” insert “,
within 180 days after the date of enactment of this
Act,”.

Page 120, line 13, before “construction” insert “de-
sign and”.

Page 120, lines 14 and 15, strike “before the date
of the partnership agreement”.

Page 123, line 25, insert before the period the fol-
lowing:

3 ; except that the authorized depth of that portion of
4 the project extending riverward of the Charles M.
5 Braga, Jr. Memorial Bridge, Fall River and Som-
6 erset, Massachusetts, shall not exceed 35 feet

Page 127, after line 19, insert the following (and re-
designate subsequent paragraphs accordingly):

7 (4) MUSCATINE, IOWA.—The Mississippi River
8 at Muscatine, Iowa project, authorized by section

1 101 of the River and Harbor Act of 1950 (64 Stat.
2 164).

3 (5) FALMOUTH HARBOR, MASSACHUSETTS.—
4 The portion of the project for navigation, Falmouth
5 Harbor, Massachusetts, authorized by section 101 of
6 the River and Harbor Act of 1948 (62 Stat. 1172),
7 beginning at a point along the eastern side of the
8 inner harbor N200,415.05, E845,307.98, thence
9 running north 25 degrees 48 minutes 54.3 seconds
10 east 160.24 feet to a point N200,559.20,
11 E845,377.76, thence running north 22 degrees 7
12 minutes 52.4 seconds east 596.82 feet to a point
13 N201,112.15, E845,602.60, thence running north
14 60 degrees 1 minute 0.3 seconds east 83.18 feet to
15 a point N201,153.72, E845,674.65, thence running
16 south 24 degrees 56 minutes 43.4 seconds west
17 665.01 feet to a point N200,550.75, E845,394.18
18 thence running south 32 degrees 25 minutes 29.0
19 seconds west 160.76 feet to the point of origin.

Page 141, after line 3, insert the following (and re-designate subsequent sections, and conform the table of contents of the bill, accordingly):

1 **SEC. 4002. CHOCTAWHATCHEE, PEA, AND YELLOW RIVERS**
2 **WATERSHED, ALABAMA.**

3 The Secretary shall conduct a study to determine the
4 feasibility of carrying out a project for flood damage re-
5 duction, environmental restoration, recreation, and water
6 supply in the Chactawhatchee, Pea, and Yellow Rivers wa-
7 tershed, Alabama.

Page 142, after line 8, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

8 **SEC. 4007. NAPA RIVER, ST. HELENA, CALIFORNIA.**

9 The Secretary shall conduct a comprehensive study
10 of the Napa River in the vicinity of St. Helena, California,
11 for the purposes of improving flood management through
12 reconnecting the river to its floodplain; restoring habitat,
13 including riparian and aquatic habitat; improving fish pas-
14 sage and water quality; and restoring native plant commu-
15 nities. In conducting the study, the Secretary shall review
16 plans and designs developed by non-Federal interests and
17 shall incorporate such plans and designs into the Federal
18 study where the Secretary determines that such plans and
19 designs are consistent with the Federal interest.

Page 144, after line 22, insert the following (and redesignate subsequent sections, and conform the table of contents of the bill, accordingly):

1 **SEC. 4015. FALL RIVER HARBOR, MASSACHUSETTS.**

2 The Secretary shall conduct a study to determine the
3 feasibility of deepening that portion of the navigation
4 channel of the navigation project for Fall River Harbor,
5 Massachusetts and Rhode Island, authorized by section
6 101 of the River and Harbor Act of 1968 (82 Stat. 731),
7 seaward of the Charles M. Braga, Jr. Memorial Bridge,
8 Fall River and Somerset, Massachusetts.

Pages 144 and 145, move sections 4016 (relating to Chicago, Illinois) and 4017 (relating to South Branch, Chicago River, Chicago, Illinois) after section 4011 (relating to Calumet Harbor, Illinois). Redesignate subsequent sections, and conform the table of contents of the bill, accordingly.

Page 150, after line 25, insert the following (and redesignate subsequent sections, and conform the table of contents of the bill, accordingly):

9 **SEC. 4033. LAKE ERIE DREDGED MATERIAL DISPOSAL**
10 **SITES.**

11 The Secretary shall conduct a study to determine the
12 nature and frequency of avian botulism problems in the

1 vicinity of Lake Erie associated with dredged material dis-
2 posal sites and shall make recommendations to eliminate
3 the conditions that result in such problems.

Page 154, after line 12, insert the following:

4 (20) Schuylkill River watershed, Pennsylvania.

Page 157, after line 22, insert the following (and re-
designate subsequent paragraphs accordingly):

5 “(10) \$25,000,000 for the project described in
6 subsection (c)(23);

Page 160, after line 25, insert the following:

7 (5) Project for environmental restoration,
8 Gwynns Falls, Maryland.

Page 161, line 1, after “SPECIAL RULE” insert
“FOR EGMONT KEY, FLORIDA”.

Page 161, after line 10, insert the following:

9 (d) SPECIAL RULE FOR GWYNNNS FALLS, MARY-
10 LAND.—The report on the project for environmental res-
11 toration at Gwynns Falls, Maryland, referred to in sub-
12 section (a)(5), shall be treated as being consistent and in
13 compliance with the consent decree entered into between
14 the United States and the Mayor and City Council of Bal-
15 timore, Maryland, filed with the United States District

1 Court for the District of Maryland on April 26, 2002, and
2 no policy of the Secretary with respect to work performed
3 under a consent decree shall delay completion of this re-
4 port and its submission to Congress.

Page 166, after line 7, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

5 **SEC. 5020. FORT YUKON, ALASKA.**

6 The Secretary shall make repairs to the dike at Fort
7 Yukon, Alaska, so that the dike meets Corps of Engineers
8 standards.

Page 167, after line 6, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

9 **SEC. 5023. HELENA AND VICINITY, ARKANSAS.**

10 The Secretary shall accept as fulfilling the non-Fed-
11 eral cost sharing responsibilities for the project for flood
12 control, Helena and Vicinity, Arkansas, authorized by sec-
13 tion 401 of the Water Resources Development Act of 1986
14 (100 Stat. 4112), the non-Federal cash contribution of
15 \$568,000 and the lands, easements, rights-of-way, reloca-
16 tions, and dredged material disposal areas provided by the
17 non-Federal sponsor as of September 1, 2003, and the
18 Secretary shall not seek to recover any reimbursement

1 from the non-Federal sponsor related to advanced pay-
2 ments to, or work performed for, the non-Federal sponsor
3 under the authority of sections 103 and 104 of the Water
4 Resources Development Act of 1986 (33 U.S.C. 2213,
5 2214).

Page 170, after line 16, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

6 **SEC. 5029. PLACER AND EL DORADO COUNTIES, CALI-**
7 **FORNIA.**

8 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
9 may establish a program to provide environmental assist-
10 ance to non-Federal interests in Placer and El Dorado
11 Counties, California.

12 (b) FORM OF ASSISTANCE.—Assistance under this
13 section may be in the form of design and construction as-
14 sistance to improve the efficiency and use of existing water
15 supplies in Placer and El Dorado Counties through water
16 and wastewater projects, programs, and infrastructure.

17 (c) OWNERSHIP REQUIREMENT.—The Secretary may
18 provide assistance for a project under this section only if
19 the project is publicly owned.

20 (d) PARTNERSHIP AGREEMENTS.—

21 (1) IN GENERAL.—Before providing assistance
22 under this section, the Secretary shall enter into a

1 partnership agreement with a non-Federal interest
2 to provide for design and construction of the project
3 to be carried out with the assistance.

4 (2) REQUIREMENTS.—Each partnership agree-
5 ment entered into under this subsection shall provide
6 for the following:

7 (A) PLAN.—Development by the Secretary,
8 in consultation with appropriate Federal and
9 State officials, of a facilities or resource protec-
10 tion and development plan, including appro-
11 priate engineering plans and specifications.

12 (B) LEGAL AND INSTITUTIONAL STRUC-
13 TURES.—Establishment of such legal and insti-
14 tutional structures as are necessary to ensure
15 the effective long-term operation of the project
16 by the non-Federal interest.

17 (3) COST SHARING.—

18 (A) IN GENERAL.—The Federal share of
19 the project costs under each partnership agree-
20 ment entered into under this subsection shall be
21 75 percent. The Federal share may be in the
22 form of grants or reimbursements of project
23 costs.

24 (B) CREDIT FOR WORK.—The non-Federal
25 interests shall receive credit for the reasonable

1 cost of design work on a project completed by
2 the non-Federal interest before entering into a
3 partnership agreement with the Secretary for
4 such project.

5 (C) CREDIT FOR INTEREST.—In case of a
6 delay in the funding of the non-Federal share
7 of a project that is the subject of an agreement
8 under this section, the non-Federal interest
9 shall receive credit for reasonable interest in-
10 curred in providing the non-Federal share of
11 the project's costs.

12 (D) LAND, EASEMENTS, AND RIGHTS-OF-
13 WAY CREDIT.—The non-Federal interest shall
14 receive credit for land, easements, rights-of-
15 way, and relocations toward the non-Federal
16 share of project costs (including all reasonable
17 costs associated with obtaining permits nec-
18 essary for the construction, operation, and
19 maintenance of the project on publicly owned or
20 controlled land), but not to exceed 25 percent
21 of total project costs.

22 (E) OPERATION AND MAINTENANCE.—The
23 non-Federal share of operation and mainte-
24 nance costs for projects constructed with assist-

1 ance provided under this section shall be 100
2 percent.

3 (e) APPLICABILITY OF OTHER FEDERAL AND STATE
4 LAWS.—Nothing in this section waives, limits, or other-
5 wise affects the applicability of any provision of Federal
6 or State law that would otherwise apply to a project to
7 be carried out with assistance provided under this section.

8 (f) NONPROFIT ENTITIES.—Notwithstanding section
9 221(b) of the Flood Control Act of 1970 (42 U.S.C.
10 1962d–5b(b), for any project undertaken under this sec-
11 tion, a non-Federal interest may include a nonprofit entity
12 with the consent of the affected local government.

13 (g) CORPS OF ENGINEERS EXPENSES.—Ten percent
14 of the amounts appropriated to carry out this section may
15 be used by the Corps of Engineers district offices to ad-
16 minister projects under this section at 100 percent Fed-
17 eral expense.

18 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to carry out this section
20 \$40,000,000. Such sums shall remain available until ex-
21 pended.

Page 170, lines 19 and 20, strike “amended—” and
all that follows through “by” on line 21 and insert
“amended by”.

Page 170, line 22, strike the semicolon and all that follows through line 5 on page 171 and insert a period.

Page 175, after line 22, insert the following (and redesignate subsequent sections, and conform the table of contents of the bill, accordingly):

1 **SEC. 5033. SAN PABLO BAY WATERSHED AND SUISUN**
2 **MARSH ECOSYSTEM RESTORATION.**

3 (a) SAN PABLO BAY WATERSHED, CALIFORNIA.—

4 (1) IN GENERAL.—The Secretary shall complete
5 work, as expeditiously as possible, on the ongoing
6 San Pablo Bay watershed, California, study to deter-
7 mine the feasibility of opportunities for restoring,
8 preserving and protecting the San Pablo Bay water-
9 shed.

10 (2) REPORT.—Not later than March 31, 2008,
11 the Secretary shall transmit to Congress a report on
12 the results of the study.

13 (c) SUISUN MARSH, CALIFORNIA.—The Secretary
14 shall conduct a comprehensive study to determine the fea-
15 sibility of opportunities for restoring, preserving and pro-
16 tecting the Suisun Marsh, California.

17 (d) SAN PABLO AND SUISUN BAY MARSH WATER-
18 SHED CRITICAL RESTORATION PROJECTS.—

19 (1) IN GENERAL.—The Secretary may partici-
20 pate in critical restoration projects that will produce,

1 consistent with Federal programs, projects, activi-
2 ties, immediate and substantial ecosystem restora-
3 tion, preservation and protection benefits in the fol-
4 lowing sub-watersheds of the San Pablo and Suisun
5 Bay Marsh watersheds:

6 (A) The tidal areas of the Petaluma River,
7 Napa-Sonoma Marsh.

8 (B) The shoreline of West Contra Costa
9 County.

10 (C) Novato Creek.

11 (D) Suisun Marsh.

12 (E) Gallinas-Miller Creek.

13 Participation in such critical restoration projects
14 may include assistance for planning, design or con-
15 struction.

16 (2) NON-FEDERAL INTERESTS.—Notwith-
17 standing the requirements of section 221 of the
18 Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a
19 nonprofit entity may serve, with the consent of the
20 affected local government, as a non-Federal sponsor
21 for a project undertaken pursuant to this section.

22 (3) COST SHARING.—Before carrying out any
23 project under this section, the Secretary shall enter
24 into a partnership agreement with the non-Federal
25 interest that shall require the non-Federal interest—

1 (A) to pay 35 percent of the cost of con-
2 struction for the project;

3 (B) to provide any lands, easements,
4 rights-of-way, dredged material disposal areas
5 and relocations necessary to carry out the
6 project; and

7 (C) to pay 100 percent of the operation,
8 maintenance, repair, replacement, and rehabili-
9 tation costs associated with the project.

10 (4) CREDIT.—The Secretary shall credit toward
11 the non-Federal share of the cost of construction of
12 a project under this section—

13 (A) the value of any lands, easements,
14 rights-of-way, dredged material disposal areas,
15 or relocations provided for carrying out the
16 project, regardless of the date of acquisition;

17 (B) funds received from the CALFED
18 Bay-Delta program; and

19 (C) the cost of the studies, design and con-
20 struction work carried out by the non-Federal
21 interest before the date of execution of a part-
22 nership agreement for the project if the Sec-
23 retary determines that the work is integral to
24 the project.

1 (5) AUTHORIZATION OF APPROPRIATIONS.—
2 There is authorized to be appropriated to carry out
3 this subsection \$40,000,000.

 Page 176, after line 17, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

4 **SEC. 5034. UPPER KLAMATH BASIN, CALIFORNIA.**

5 (a) DEFINITION OF UPPER KLAMATH BASIN.—In
6 this section, the term “Upper Klamath Basin” means the
7 counties of Klamath, Oregon, and Siskiyou and Modoc,
8 California.

9 (b) ESTABLISHMENT OF PROGRAM.—The Secretary
10 may establish a program to provide environmental assist-
11 ance to non-Federal interests in the Upper Klamath
12 Basin.

13 (c) FORM OF ASSISTANCE.—Assistance under this
14 section may be in the form of design and construction as-
15 sistance to improve the efficiency and use of existing water
16 supplies in the Upper Klamath Basin through water and
17 wastewater and ecosystem restoration projects, programs,
18 and infrastructure.

19 (d) OWNERSHIP REQUIREMENT.—The Secretary may
20 provide assistance for a project under this section only if
21 the project is publicly owned.

22 (e) PARTNERSHIP AGREEMENTS.—

1 (1) IN GENERAL.—Before providing assistance
2 under this section, the Secretary shall enter into a
3 partnership agreement with a non-Federal interest
4 to provide for design and construction of the project
5 to be carried out with the assistance.

6 (2) REQUIREMENTS.—Each partnership agree-
7 ment entered into under this subsection shall provide
8 for the following:

9 (A) PLAN.—Development by the Secretary,
10 in consultation with appropriate Federal and
11 State officials, of a facilities or resource protec-
12 tion and development plan, including appro-
13 priate engineering plans and specifications.

14 (B) LEGAL AND INSTITUTIONAL STRUC-
15 TURES.—Establishment of such legal and insti-
16 tutional structures as are necessary to ensure
17 the effective long-term operation of the project
18 by the non-Federal interest.

19 (3) COST SHARING.—

20 (A) IN GENERAL.—The Federal share of
21 the project costs under each partnership agree-
22 ment entered into under this subsection shall be
23 75 percent. The Federal share may be in the
24 form of grants or reimbursements of project
25 costs.

1 (B) CREDIT FOR WORK.—The non-Federal
2 interests shall receive credit for the reasonable
3 cost of design work on a project completed by
4 the non-Federal interest before entering into a
5 partnership agreement with the Secretary for
6 such project.

7 (C) CREDIT FOR INTEREST.—In case of a
8 delay in the funding of the non-Federal share
9 of a project that is the subject of an agreement
10 under this section, the non-Federal interest
11 shall receive credit for reasonable interest in-
12 curred in providing the non-Federal share of
13 the project's costs.

14 (D) LAND, EASEMENTS, AND RIGHTS-OF-
15 WAY CREDIT.—The non-Federal interest shall
16 receive credit for land, easements, rights-of-
17 way, and relocations toward the non-Federal
18 share of project costs (including all reasonable
19 costs associated with obtaining permits nec-
20 essary for the construction, operation, and
21 maintenance of the project on publicly owned or
22 controlled land), but not to exceed 25 percent
23 of total project costs.

24 (E) OPERATION AND MAINTENANCE.—The
25 non-Federal share of operation and mainte-

1 nance costs for projects constructed with assist-
2 ance provided under this section shall be 100
3 percent.

4 (f) APPLICABILITY OF OTHER FEDERAL AND STATE
5 LAWS.—Nothing in this section waives, limits, or other-
6 wise affects the applicability of any provision of Federal
7 or State law that would otherwise apply to a project to
8 be carried out with assistance provided under this section.

9 (g) NONPROFIT ENTITIES.—Notwithstanding section
10 221(b) of the Flood Control Act of 1970 (42 U.S.C.
11 1962d–5b(b), for any project undertaken under this sec-
12 tion, a non-Federal interest may include a nonprofit entity
13 with the consent of the affected local government.

14 (h) CORPS OF ENGINEERS EXPENSES.—Ten percent
15 of the amounts appropriated to carry out this section may
16 be used by the Corps of Engineers district offices to ad-
17 minister projects under this section at 100 percent Fed-
18 eral expense.

19 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to carry out this section
21 \$25,000,000. Such sums shall remain available until ex-
22 pended.

Page 181, after line 11, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

1 **SEC. 5041. COOK COUNTY, ILLINOIS.**

2 Section 219(f)(54) of the Water Resources Develop-
3 ment Act of 1992 (106 Stat. 4835; 113 Stat. 535; 114
4 Stat. 2763A-221) is amended—

5 (1) by striking “\$35,000,000” and inserting the
6 following:

7 “(A) IN GENERAL.—\$35,000,000”;

8 (2) by adding at the end the following:

9 “(B) CREDIT.—The Secretary shall credit
10 toward the non-Federal share of the cost of the
11 project not to exceed \$80,000 for the cost of
12 planning and design work carried out by the
13 non-Federal interest before, on, or after the
14 date of the partnership agreement for the
15 project if the Secretary determines that the
16 work is integral to the project.”; and

17 (3) by aligning the remainder of the text of
18 subparagraph (A) (as designated by paragraph (1)
19 of this section) with subparagraph (B) (as added by
20 paragraph (2) of this section).

Page 186, after line 20, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

1 **SEC. 5045. SOUTHWEST ILLINOIS.**

2 (a) DEFINITION OF SOUTHWEST ILLINOIS.—In this
3 section, the term “Southwest Illinois” means the counties
4 of Madison, St. Clair, Monroe, Randolph, Perry, Franklin,
5 Jackson, Union, Alexander, Pulaski, and Williamson, Illi-
6 nois.

7 (b) ESTABLISHMENT OF PROGRAM.—The Secretary
8 may establish a program to provide environmental assist-
9 ance to non-Federal interests in Southwest Illinois.

10 (c) FORM OF ASSISTANCE.—Assistance under this
11 section may be in the form of design and construction as-
12 sistance for water-related environmental infrastructure
13 and resource protection and development projects in
14 Southwest Illinois, including projects for wastewater treat-
15 ment and related facilities, water supply and related facili-
16 ties, and surface water resource protection and develop-
17 ment.

18 (d) OWNERSHIP REQUIREMENT.—The Secretary may
19 provide assistance for a project under this section only if
20 the project is publicly owned.

21 (e) PARTNERSHIP AGREEMENTS.—

22 (1) IN GENERAL.—Before providing assistance
23 under this section, the Secretary shall enter into a
24 partnership agreement with a non-Federal interest
25 to provide for design and construction of the project
26 to be carried out with the assistance.

1 (2) REQUIREMENTS.—Each partnership agree-
2 ment entered into under this subsection shall provide
3 for the following:

4 (A) PLAN.—Development by the Secretary,
5 in consultation with appropriate Federal and
6 State officials, of a facilities or resource protec-
7 tion and development plan, including appro-
8 priate engineering plans and specifications.

9 (B) LEGAL AND INSTITUTIONAL STRUC-
10 TURES.—Establishment of such legal and insti-
11 tutional structures as are necessary to ensure
12 the effective long-term operation of the project
13 by the non-Federal interest.

14 (3) COST SHARING.—

15 (A) IN GENERAL.—The Federal share of
16 the project costs under each partnership agree-
17 ment entered into under this subsection shall be
18 75 percent. The Federal share may be in the
19 form of grants or reimbursements of project
20 costs.

21 (B) CREDIT FOR WORK.—The non-Federal
22 interests shall receive credit for the reasonable
23 cost of design work on a project completed by
24 the non-Federal interest before entering into a

1 partnership agreement with the Secretary for
2 such project.

3 (C) CREDIT FOR INTEREST.—In case of a
4 delay in the funding of the non-Federal share
5 of a project that is the subject of an agreement
6 under this section, the non-Federal interest
7 shall receive credit for reasonable interest in-
8 curred in providing the non-Federal share of
9 the project's costs.

10 (D) LAND, EASEMENTS, AND RIGHTS-OF-
11 WAY CREDIT.—The non-Federal interest shall
12 receive credit for land, easements, rights-of-
13 way, and relocations toward the non-Federal
14 share of project costs (including all reasonable
15 costs associated with obtaining permits nec-
16 essary for the construction, operation, and
17 maintenance of the project on publicly owned or
18 controlled land), but not to exceed 25 percent
19 of total project costs.

20 (E) OPERATION AND MAINTENANCE.—The
21 non-Federal share of operation and mainte-
22 nance costs for projects constructed with assist-
23 ance provided under this section shall be 100
24 percent.

1 (f) APPLICABILITY OF OTHER FEDERAL AND STATE
2 LAWS.—Nothing in this section waives, limits, or other-
3 wise affects the applicability of any provision of Federal
4 or State law that would otherwise apply to a project to
5 be carried out with assistance provided under this section.

6 (g) NONPROFIT ENTITIES.—Notwithstanding section
7 221(b) of the Flood Control Act of 1970 (42 U.S.C.
8 1962d–5b(b), for any project undertaken under this sec-
9 tion, a non-Federal interest may include a nonprofit enti-
10 ty.

11 (h) CORPS OF ENGINEERS EXPENSES.—Ten percent
12 of the amounts appropriated to carry out this section may
13 be used by the Corps of Engineers district offices to ad-
14 minister projects under this section at 100 percent Fed-
15 eral expense.

16 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$40,000,000. Such sums shall remain available until ex-
19 pended.

Page 197, after line 20, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

20 **SEC. 5053. LAKE PONTCHARTRAIN, LOUISIANA.**

21 For purposes of carrying out section 121 of the Fed-
22 eral Water Pollution Control Act (33 U.S.C. 1271), the

1 Lake Pontchartrain, Louisiana, basin stakeholders con-
2 ference convened by the Environmental Protection Agen-
3 cy, the National Oceanic and Atmospheric Administration,
4 and United States Geological Survey on February 25,
5 2002, shall be treated as being a management conference
6 convened under section 320 of such Act (33 U.S.C. 1330).

Page 199, after line 22, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

7 **SEC. 5059. CROOKSTON, MINNESOTA.**

8 The Secretary shall conduct a study for a project for
9 emergency streambank protection in the vicinity of High-
10 way 2, Crookston, Minnesota, and, if the Secretary deter-
11 mines that the project is feasible, may carry out the
12 project under section 14 of the Flood Control Act of 1946
13 (33 U.S.C. 701r); except that the maximum amount of
14 Federal funds that may be expended for the project shall
15 be \$6,500,000.

Page 203, after line 8, insert the following (and re-
designate subsequent sections of the bill, and conform the
table of contents of the bill, accordingly):

16 **SEC. 5065. DELAWARE RIVER, TRENTON, NEW JERSEY.**

17 The Secretary shall provide assistance to address
18 floating and partially submerged debris in that portion of

1 the Delaware River downstream from Trenton, New Jer-
2 sey.

Page 206, after line 20, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

3 **SEC. 5069. GATEWAY POINT, NORTH TONAWANDA, NEW**
4 **YORK.**

5 The Secretary shall review the shoreline stabilization,
6 recreation, and public access components of the feasibility
7 report for waterfront development at Gateway Point,
8 North Tonawanda, New York, entitled “City of North
9 Tonawanda, Gateway Point Feasibility”, dated February
10 6, 2003, and prepared by the non-Federal interest and,
11 if the Secretary determines that those components meet
12 the evaluation and design standards of the Corps of Engi-
13 neers and that the components are feasible, may carry out
14 the components at a Federal cost not to exceed
15 \$3,300,000.

Page 207, after line 18, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

16 **SEC. 5071. TIMES BEACH DIKE, BUFFALO, NEW YORK.**

17 As part of operation and maintenance of the Buffalo
18 Harbor and Buffalo River navigation projects, the Sec-

1 retary may repair the Times Beach confined disposal facil-
2 ity dike, Buffalo, New York.

Page 217, after line 13, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

3 **SEC. 5092. J. PERCY PRIEST DAM AND RESERVOIR, OHIO**
4 **RIVER BASIN, TENNESSEE.**

5 The Secretary shall plan, design and construct up-
6 grades to the existing trail system at the J. Percy Priest
7 Dam and Reservoir, Ohio River Basin, Tennessee, author-
8 ized by section 4 of the Act entitled “An Act authorizing
9 the construction of certain public works on rivers and har-
10 bors for flood control, and for other purposes”, approved
11 June 28, 1938 (52 Stat. 1217), including design and con-
12 struction of support facilities for public health and safety
13 associated with trail development. In carrying out such im-
14 provements, the Secretary is authorized to use funds made
15 available by the State of Tennessee from any Federal or
16 State source, or both.

Page 218, after line 8, insert the following (and re-
designate subsequent sections, and conform the table of
contents of the bill, accordingly):

1 **SEC. 5094. EAST TENNESSEE.**

2 (a) DEFINITION OF EAST TENNESSEE.—In this sec-
3 tion, the term “East Tennessee” means the counties of
4 Blount, Knox, Loudon, McMinn, Monroe, and Sevier, Ten-
5 nessee.

6 (b) ESTABLISHMENT OF PROGRAM.—The Secretary
7 may establish a program to provide environmental assist-
8 ance to non-Federal interests in East Tennessee.

9 (c) FORM OF ASSISTANCE.—Assistance under this
10 section may be in the form of design and construction as-
11 sistance for water-related environmental infrastructure
12 and resource protection and development projects in East
13 Tennessee, including projects for wastewater treatment
14 and related facilities, water supply and related facilities,
15 and surface water resource protection and development.

16 (d) OWNERSHIP REQUIREMENT.—The Secretary may
17 provide assistance for a project under this section only if
18 the project is publicly owned.

19 (e) PARTNERSHIP AGREEMENTS.—

20 (1) IN GENERAL.—Before providing assistance
21 under this section, the Secretary shall enter into a
22 partnership agreement with a non-Federal interest
23 to provide for design and construction of the project
24 to be carried out with the assistance.

1 (2) REQUIREMENTS.—Each partnership agree-
2 ment entered into under this subsection shall provide
3 for the following:

4 (A) PLAN.—Development by the Secretary,
5 in consultation with appropriate Federal and
6 State officials, of a facilities or resource protec-
7 tion and development plan, including appro-
8 priate engineering plans and specifications.

9 (B) LEGAL AND INSTITUTIONAL STRUC-
10 TURES.—Establishment of such legal and insti-
11 tutional structures as are necessary to ensure
12 the effective long-term operation of the project
13 by the non-Federal interest.

14 (3) COST SHARING.—

15 (A) IN GENERAL.—The Federal share of
16 the project costs under each partnership agree-
17 ment entered into under this subsection shall be
18 75 percent. The Federal share may be in the
19 form of grants or reimbursements of project
20 costs.

21 (B) CREDIT FOR WORK.—The non-Federal
22 interests shall receive credit for the reasonable
23 cost of design work on a project completed by
24 the non-Federal interest before entering into a

1 partnership agreement with the Secretary for
2 such project.

3 (C) CREDIT FOR INTEREST.—In case of a
4 delay in the funding of the non-Federal share
5 of a project that is the subject of an agreement
6 under this section, the non-Federal interest
7 shall receive credit for reasonable interest in-
8 curred in providing the non-Federal share of
9 the project's costs.

10 (D) LAND, EASEMENTS, AND RIGHTS-OF-
11 WAY CREDIT.—The non-Federal interest shall
12 receive credit for land, easements, rights-of-
13 way, and relocations toward the non-Federal
14 share of project costs (including all reasonable
15 costs associated with obtaining permits nec-
16 essary for the construction, operation, and
17 maintenance of the project on publicly owned or
18 controlled land), but not to exceed 25 percent
19 of total project costs.

20 (E) OPERATION AND MAINTENANCE.—The
21 non-Federal share of operation and mainte-
22 nance costs for projects constructed with assist-
23 ance provided under this section shall be 100
24 percent.

1 (f) APPLICABILITY OF OTHER FEDERAL AND STATE
2 LAWS.—Nothing in this section waives, limits, or other-
3 wise affects the applicability of any provision of Federal
4 or State law that would otherwise apply to a project to
5 be carried out with assistance provided under this section.

6 (g) NONPROFIT ENTITIES.—Notwithstanding section
7 221(b) of the Flood Control Act of 1970 (42 U.S.C.
8 1962d–5b(b), for any project undertaken under this sec-
9 tion, a non-Federal interest may include a nonprofit entity
10 with the consent of the affected local government.

11 (h) CORPS OF ENGINEERS EXPENSES.—Ten percent
12 of the amounts appropriated to carry out this section may
13 be used by the Corps of Engineers district offices to ad-
14 minister projects under this section at 100 percent Fed-
15 eral expense.

16 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$40,000,000. Such sums shall remain available until ex-
19 pended.

Page 230, line 23, strike “\$20,000,000” and insert
“\$30,000,000”.

Page 230, line 24, strike “1001(1)” and insert
“1001(a)(1)”.

Page 234, line 17, strike the closing quotation marks and the final period.

Page 234, after line 17, insert the following:

1 “(96) PLACER AND EL DORADO COUNTIES,
2 CALIFORNIA.—\$35,000,000 to improve the efficiency
3 and use of existing water supplies in Placer and El
4 Dorado Counties, California, through water and
5 wastewater projects, programs, and infrastructure.

6 “(97) ARCADIA AND SIERRA MADRE, CALI-
7 FORNIA.—\$20,000,000 for water-related infrastruc-
8 ture, Arcadia and Sierra Madre, California.

9 “(98) EL PASO COUNTY, TEXAS.—\$25,000,000
10 for water-related infrastructure and resource protec-
11 tion and development, El Paso County, Texas.

12 “(99) ATLANTA, GEORGIA.—\$35,000,000 for
13 implementation of a sanitary sewer overflow control
14 plan, Atlanta, Georgia.

15 “(100) CHATTAHOOCHEE RIVER, GEORGIA.—
16 \$20,000,000 for implementation of wastewater infra-
17 structure and resource protection to enhance water
18 quality in and adjacent to the Chattahoochee River,
19 Georgia.

20 “(101) LASSEN, PLUMAS, BUTTE, SIERRA, AND
21 NEVADA COUNTIES, CALIFORNIA.—\$25,000,000 to
22 improve the efficiency and use of existing water sup-

1 plies in the counties of Lassen, Plumas, Butte, Si-
2 erra, and Nevada, California, through water and
3 waste water projects, programs, and infrastructure.

4 “(102) IMPERIAL COUNTY, CALIFORNIA.—
5 \$10,000,000 for wastewater infrastructure to im-
6 prove water quality in the New River, Imperial
7 County, California.

8 “(103) CONTRA COSTA WATER DISTRICT, CALI-
9 FORNIA.—\$23,000,000 for water and wastewater in-
10 frastructure for the Contra Costa Water District,
11 California.”.

Page 235, after line 12, insert the following (and
conform the table of contents of the bill accordingly):

12 **SEC. 5115. WAGE SURVEYS.**

13 Employees of the United States Army Corps of Engi-
14 neers who are paid wages determined under the last un-
15 designated paragraph under the heading “Administrative
16 Provisions” of chapter V of the Supplemental Appropria-
17 tions Act, 1982 (5 U.S.C. 5343 note; 96 Stat. 832) shall
18 be allowed, through appropriate employee organization
19 representatives, to participate in wage surveys under such
20 paragraph to the same extent as are prevailing rate em-
21 ployees under subsection (c)(2) of section 5343 of title 5,
22 United States Code. Nothing in such section 5343 shall

1 be considered to affect which agencies are to be surveyed
2 under such paragraph.

3 **SEC. 5116. PURCHASE OF AMERICAN-MADE EQUIPMENT**
4 **AND PRODUCTS.**

5 (a) IN GENERAL.—It is the sense of Congress that,
6 to the extent practicable, all equipment and products pur-
7 chased with funds made available under this Act should
8 be American made.

9 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
10 providing financial assistance under this Act, the Sec-
11 retary, to the greatest extent practicable, shall provide to
12 each recipient of the assistance a notice describing the
13 statement made in subsection (a).